

MAY 25 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Debra L. Holte

Art Unit: 3643

Serial No.: 10/822,481

Examiner: Son T. Nguyen

Filed: April 12, 2004

Title: Orthopedic Pet Cushion

AMENDMENT UNDER C.F.R. 1.111

Honorable Commissioner of Patents

Alexandria, Virginia 22313

In response to an Office Action Summary dated March 30, 2006, please consider the following amendments to the claims and remarks related to the allowance of the subject application.

TELEPHONE CONFERENCE CALL

On May 17, 2006, the applicant was in contact twice with Examiner Nguyen by telephone. On the second telephone call, the examiner indicated that she had reviewed new proposed independent claim 27 and the subject matter found therein appeared to be allowable. The examiner did reserve the right to continue further searching of references related to the application. The undersigned applicant mentioned to the examiner that any amended or new claims would be no broader than the combination of structure and function of the pet cushion described in claim 27.

STATUS OF THE APPLICATION

Claim 23 is rejected under 35 U.S.C. 112, second paragraph as being indefinite.

Claims 1-26 are rejected under 35 U.S.C. 103(a) as being obvious based on McMahon in view of published articles to White and Samms.